

ITEM NO. 33 (E-12)

1. NAME OF THE SUBJECT:- Corrigendum of Resolution Item No. 11(E-02) with regard to levying of user charges for collection of Solid Waste.
2. NAME OF THE DEPARTMENT:  
Public Health Department
3. BRIEF HISTORY OF THE SUBJECT:-

Adoption of Solid waste Management Rules 2016 by New Delhi Municipal Council vide resolution No. 11 (E-02) dated 26.04.2016 is in accordance with directions from Ministry of Environment and Forest, Government of India. It is mandated that NDMC shall prescribe from time to time user fees as deemed appropriate and collect the fee from the waste generators for the sustainability of collection, transportation, processing and disposal of solid waste.

Council has already approved agenda for Collection of user charges from Waste generators vide Item No. 11(E-02) in its Meeting 26/04/16. The Council Decision is as follows:

*"Whereas the Ministry of Environment, Forests and Climate change, Government of India, in exercise of the power conferred under sections 3,6 and 25 of the Environment (Protection) act 1986, notified the Solid Waste Management Rules 2016 vide notification No. S.O. 1357(E) Dated 08<sup>th</sup> April 2016.*

*And Whereas, Rule 15 of Solid Waste Management Rules 2016 w.r.t. Duties and responsibilities of local authorities and village panchayat of census towns and urban agglomerations' inter-alia states that the local authority shall prescribe time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorized agency(sub rule(f)).*

*Therefore, the Council resolved to accord approval in principal for levying user charges for lifting and transportation of solid waste from domestic/commercial/ institutional/ any other areas of NDMC under the provisions of sub-rule (f) of rule 15 of the Solid Waste Management rules 2016.*

R4317  
29/8/16

A-1203  
30/8/16

S. No.	Resolution	Amendment Required	Proposed Resolution
1.	<p>Further, the council resolved to approve the category wise user charges proposed by the Department as placed at Annexure B to the agenda item, and such charges shall be collected as a component of water bill."</p>	<p>Modification in Annexure B: User Charges                      (1) It is observed that activities like rallies, langar also creates solid waste, but are not covered under any category as provided in Annexure B to the Agenda item No. 11(E-02) dated 26/04/2016. Further, user charges are to be prescribed for any other activity which is not covered under the categories mentioned in this Annexure. Therefore, a new category 'Any other activity' is proposed with user charges of Rs.100/event to cover such incidents.                      (2) In S. No. 3 &amp; 5, the words "less than" is replaced by the word "upto", to maintain the continuity in coverage of users in such category:</p>	<p>Further, the council resolved to approve the category wise user charges proposed by the Department as placed at Annexure B to the agenda item, and such charges shall be collected as a component of water bill."</p>

4. DETAILED PROPOSAL ON THE SUBJECT:

The following amendment is required in resolution of the Council vide Item No. 11(E-02) dated 26/04/2016.

Further, the council resolved to approve the category wise user charges proposed by the Department as placed at Annexure B to the agenda item, and such charges shall be collected as a component of water bill."

The above agenda is placed before the council for modification of resolution of the Council vide item No. 11(E-02) dated 26.04.2016 as mentioned in Para 4 above, viz. 'Annexure B' (See page 443) to Council resolution item No. 11(E-02) dated 26.04.2016 be replaced by 'Annexure B' (See page 443) as provided in the Appendix to this agenda item, and resolution be modified to the following extent:

13. RECOMMENDATIONS

NA

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE LAW DEPARTMENT

NA

11. COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT

NA

AND ASSEMBLY ON THE SUBJECT:-

10. DETAILS OF THE PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT

NA

9. LEGAL IMPLICATION OF THE SUBJECT

The collection shall be done by NDMC as a component of water bill or estate license bill or property tax or as direct collection.

DEPARTMENT

8. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE FINANCE

Not Required

7. COMMENTS FROM FINANCE DEPARTMENT ON THE SUBJECT:-

To be started immediately after Council's approval.

INTERNAL PROCEEDINGS:-

6. IMPLEMENTATION SCHEDULE WITH TIME LINE FOR EACH STAGE INCLUDING

Council may receive annual collection of Rs. 4 to 7 Crores.

5. FINANCIAL IMPLICATION OF THE PROPOSED SUBJECT:-

For Secretary  
New Delhi Municipal Council  
New Delhi

Resolved by the Council to accord approval to the proposal of the Department as proposed in para 13 of the preamble.

**COUNCIL'S DECISION**

S. No.	Resolution	Proposed Resolution
1.	Further, the council resolved to approve the category wise user charges proposed by the Department as placed at Annexure B (See page 443) to the agenda item, and such charges shall be collected along with Water Bill, Property Tax, Estate License fee, or through direct collection, or Annexure B to the agenda item, and such charges shall be collected as a component of water bill."	Further, the council resolved to approve the category wise user charges proposed by the Department as placed at Annexure B (See page 443) to the agenda item, and such charges shall be collected along with Water Bill, Property Tax, Estate License fee, or through direct collection, or Annexure B to the agenda item, and such charges shall be collected as a component of water bill. " occupier."

S. No.	Grading of User	Category	Per Month Rs.
1	Residential	Government accommodation	15
		Type I Flats	30
		Type II Flats	50
		Type III Flats	75
		Type IV Flats	100
		Type V Flats & above including bungalows	50
		Upto 50 Sq. Mtr.	100
		More than 50 Sq. Mtr. to 100 Sq. Mtr.	300
		More than 100 Sq. Mtr.	500
		Non licensable trade Shops/ Coffee Shop/ Kiosks	1000
2	Private Residential	Big Sweet Shops/ Restaurant (sitting capacity upto 50)	2000
		Restaurant more than 50 seats	5000
		capacity/ 3 star Hotels	3000
		Five Star Hotels	5000
		Banquets/ Bar/ Ghar/ Clubs/ Guest House/ Hostels/ Exhibition/ Fair etc. upto 3000 sq. mtr. Area	500
		Banquets/ Bar/ Ghar/ Clubs/ Guest House/ Hostels/ Exhibition/ Fair etc. more than 3000 sq. mtr. Area	500
		Bank/Institutions/Schools/ College etc.	500
		Clinic/ Dispensary/ Laboratories without indoor facility excluding bio-medical and hazardous waste	500
		Hospital with indoor facility below 50 Beds capacity excluding bio-medical and hazardous waste	1000
		Hospital with indoor facility between 50 -200 Beds capacity excluding bio-medical and hazardous waste	2000
3	Commercial	Hospital with indoor facility above 200 Beds capacity excluding bio-medical and hazardous waste	5000
		Godown/Cold Storage only for non dangerous non offensive waste	5000
		Embassies upto 1 acre area	5000
		Embassies more than 1 acre area	10,000
		Other	10,000
		Any other activity	1000 per event
4	Institutional	Rallies, Langar and any other activity not included above	1000 per event
		Embassies upto 1 acre area	10,000
5	Other	Embassies upto 1 acre area	5000
		Embassies more than 1 acre area	10,000
6	Any other activity	Rallies, Langar and any other activity not included above	1000 per event

Annexure-B

Appendix to the Council Agenda Item No. dated 25th July, 2016